

CF 100 SINGLE BENCH

IN THE HIGH COURT OF CHHATTISGARH AT
BILASPUR

Writ Petition (S)NO. 1230 /2007

PETITIONER

: SMT. PREM LATA MADARIYA

aged about 29 years,

^{W/o} Shri Ramesh Madariya

R/o Village Dhaba, P.O. Bhedsar,

Thana Pulgaon, Distt.-Durg (C.G.)

P.R. No. 99067
Presented by Shri Anita Singh
dated 5/2/07

VERSUS

RESPONDENTS

: 1. STATE OF CHHATTISGARH

Panchayat & Village

Development Department, Dau

Kalyan Singh Bhawan, Ministerial

Raipur (C.G.)

Chief Exective Officer

District Panchayat Durg (C.G.)

3. Collector, Durg (C.G.)

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WRIT PETITION U/A 226/227 OF THE CONSTITUTION
OF INDIA

OMMISS

(15)

HIGH COURT OF CHHATTISGARH AT BILASPUR

S.B. : HON'BLE MR. SATISH K. AGNIHOTRI, J.

WRIT PETITION (S.) NO 1230 of 2007.

Petitioner : Smt. Prem Lata Madhariya.

versus

Respondents : State of Chhattisgarh &
Others

Present : Shri D.R.Sharma, Senior Advocate with Ku. Anita
Singh Advocate for the petitioner
Shri Satish Gupta, Deputy Government Advocate for
the respondents /State.

ORDER

(Passed on 1st of March, 2007)

1. The petitioner was working as Shiksha Karmi Grade III in Government Girls Primary School, Borai, District Durg, who has been promoted to the post of Shiksha Karmi Grade II, and on promotion she has been transferred and posted to Pre-Middle School Saguni, Block Dhamdha, in the same District.

2. The petitioner has impugned the transfer on promotion, on the ground that as per the policy of the State Government, husband and wife be posted at one place, as far as possible.

3. I have gone through the policy and the records appended to the petition. It is clear, that firstly, this is not a case of transfer simplicitor. It is a case of promotion and the petitioner has been posted on promotion to different school. If the petitioner is not willing to join at the new place of transfer, she may forego her promotion. For that the petitioner is not ready. So far as posting of husband and wife at one place is concerned, it is applicable in normal transfer cases and that too, as far as possible. The same is not mandatory. It is to be decided in public interest by the employer.

4. For the reasons stated hereinabove, the petition is devoid of merit, which deserves to be and is dismissed, summarily.

Sd/-
Satish K. Agnihotri
Judge

Amit